

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

*In re BAYCOL PRODUCTS LITIGATION*

MDL NO. 1431  
(MJD/SRN)

This Document Relates to:

**ORDER**

*Verlean Toles, et al., v. Bayer Corp., et al.*  
*(Plaintiff Irving Duncan only)*

Case No. 03-1174

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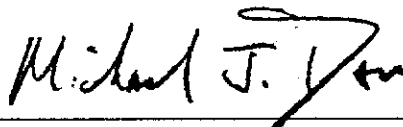
The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated February 28, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Irving Duncan [Doc. No. 164] is GRANTED;
2. Plaintiff Irving Duncan's action is DISMISSED WITH PREJUDICE; and
3. Plaintiff's counsel is required to pay the sum of \$570.20 to Bayer Corporation within 10 days of the District Court's Order.

DATED: MAR 27 2007, 2007.

  
Judge Michael J. Davis  
United States District Court Judge

**SCANNED**  
MAR 28 2007  
U.S. DISTRICT COURT MPLS